



# CITY OF ATLANTA

KEISHA LANCE BOTTOMS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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TIM KEANE  
COMMISSIONER

KEYETTA M. HOLMES, AICP  
Director  
Office of Zoning and Development

## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** **Z-20-07 for Land Locked Lots**

**DATE:** October 1, 2020

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A substitute ordinance to amend the City of Atlanta Code of Ordinances Part 16 Zoning, Single-Family Residential District Regulations for **R-1 (Single Family Residential)**, **R-2 (Single Family Residential)**, **R-2A (Single Family Residential)**, **R-2B (Single Family Residential)**, **R-3 (Single Family Residential)**, **R-3A (Single Family Residential)**, **R-4 Single Family Residential)**, **R-4A (Single Family Residential)**, **R-4B (Single Family Residential)** and **R-5 (Two Family Residential)** by requiring the development of new single-family detached dwellings on land-locked lots to obtain a special use permit; and for other purposes

### FINDINGS OF FACT:

The City of Atlanta is made up of neighborhoods with a variety of lot sizes which creates a diverse fabric of unique neighborhoods and communities. One of the special characteristics of many of these neighborhoods is their lot patterns. As development pressured continue in the city it is important to preserve single family lot consistent with the character of the lot pattern. Lot fragments leftover from initial development of the neighborhoods are beginning to be developed even though they are fronted and backed by existing single-family homes and thereby have no street frontage and do not meet or conform with the existing lot sizes or patterns. The development of land locked lots creates many challenges that affect the health, safety, and general welfare of the surrounding property owners including limited or no access to utilities such as a sewer and water, no access to public roads, the potential creation of private roads which are directly adjacent to single-family homes, the potential for additional storm-water runoff by building on traditionally natural areas, the removal of healthy trees and reduction of the City's tree canopy, and other land use related challenges

**PROPOSAL:** This text amendment proposes if a lot has no existing street frontage a special use permit (SUP) is required for the development of a single-family detached dwelling in R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B and R-5 zoning districts.

## CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:**  
Currently, the text amendment is compatible with the existing land use designations. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:**  
This is a text amendment requiring the development of land locked lots via a special use permit. Review agencies and/or departments will provide comment regarding adequate public facilities and services in the area should a development proposal be presented. Therefore, when proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** Since no development project is being proposed, these considerations are not applicable. As proposed, the text amendment intends to prohibit the development of a land locked lot unless a SUP is approved. Development of land locked lots disrupts the historic lot patterns of neighborhoods, as well as can contribute to stormwater run-off and have other adverse effects. However, staff is of the opinion that this legislation will have a positive effect on the balance of land with regard to the public need by requiring a SUP which is intended to be used in connection with uses of substantial significance.
- 4) **Effect on character of the neighborhood:** The proposed text amendment will further reinforce the stability of established neighborhoods by limiting the development of land locked lots. Staff is of the opinion that this legislation will have a positive effect on the neighborhoods as this legislation will protect the development.
- 5) **Suitability of proposed land use:** The proposed recommendations were made through community engagement and public involvement that supports the goals of the neighborhoods. Staff believes that the proposed text amendment is suitable.
- 6) **Effect on adjacent property:** Since no development projects are being proposed as part of this text amendment, these considerations are not applicable.
- 7) **Economic use of current zoning:** As currently zoned single-family residential districts have an economic use due the purpose and intent of said district in the Zoning Ordinance. When deciding where to purchase properties residents anticipate sustained or increasing property values. Therefore, staff is supportive of the text amendment.
- 8) **Compatibility with policies related to tree preservation:** Since no development project is being proposed, this consideration is not applicable. Upon application of a building permit, the applicant will have to comply with the City of Atlanta Tree Ordinance.

**STAFF RECOMMENDATION: APPROVAL OF A SUBSTITUTE ORDINANCE**

**Z-20-07 LAND LOCKED LOTS**

	NPU						Comments
		Approved	Approval Conditional	Denied	Abstained	No Vote Taken	
Z-20-7	A	1					
	B	1					
	C	1					
	D	1					
	E	1					
	F	1					
	G	1					Conditioned to include R-4, R-4A, R-4B and R-5 districts in final legislation
	H	1					
	I	1					
	J	1					
	K	1					Conditions: Amend legislation to include R-1 through R-5 zoning
	L	1					
	M	1					
	N	1					
	O	1					
	P	1					
	Q	1					
	R	1					
	S	1					
	T	1					Add R-4
	V	1					
	W				1		
	X	1					
	Y	1					
Z	1						
UDC							
<b>Total:</b>		24		1			



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KEYETTA M. HOLMES, AICP  
Director  
Office of Zoning and Development

## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** Z-20-36 for Neighborhood Design Standards

**DATE:** October 8, 2020

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A substitute Ordinance by Councilmembers Dustin Hillis, Andrea Boone, Andre Dickens, Antonio Brown, Joyce Sheperd, and Matt Westmoreland to amend the 1982 Zoning Ordinance of the City Of Atlanta (Part 16), as amended, to amend Sections 16-06.12(2), 16-06A.012(2), 16-06B.012(2) and 16-07.012(2) garage recess of the R-4 (Single Family Residential), R-4A (Single Family Residential), R-4B (Single Family Residential) and R-5 (Two Family Residential) Districts and for other purposes

### FINDINGS OF FACT:

The purpose and intent of the single-family residential districts is to promote development while preserving the residential character of the district. The provisions of the Zoning Ordinance of the City of Atlanta, (Part 16) as amended from time to time, including provisions for Neighborhood Design Standards, as were codified in City Ordinance 18-O-1581, and are now set forth in Part 16, Chapter(s) 6, 6A, 6B and 7, regarding the “Relationship of building to street,” while potentially desirable in portions of the City, can be overly onerous in others. The City of Atlanta is made up of many diverse neighborhoods with a diverse range of architecture and appropriate design standards are desired.

**PROPOSAL:** This text amendment proposes to amend the garage recess requirement of the Neighborhood Design Standards from 10’ to 6’.

### CONCLUSIONS:

- 1) Compatibility with comprehensive development plan (CDP); timing of development:**  
Currently, the text amendment is compatible with the existing land use designations. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.

2) **Availability of and effect on public facilities and services; referrals to other agencies:**

This text amendment seeks to change the garage recess requirement from 10' to 6'. Review agencies and/or departments will provide comment regarding adequate public facilities and services should a development proposal be presented. Therefore, when proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:**

Since no development project is being proposed, these considerations are not applicable. As proposed, the text amendment intends to reduce the garage recess requirement from 10' to 6'. The reduction in the garage recess is suggested so that new development is consistent in architectural character to existing residential development. Staff is of the opinion that the reduction of the garage recess will not have a negative effect on the balance of land uses but is appropriate for residentially zoned properties and is supportive of an urban architectural form.

4) **Effect on character of the neighborhood:** The proposed text amendment will further reinforce the stability of established neighborhoods by requiring single family dwelling construction that is architecturally appealing. Staff is of the opinion that this legislation will have a positive effect on the neighborhoods as this legislation will protect neighborhood character in the diverse neighborhoods of the city.

5) **Suitability of proposed land use:** The proposed recommendations were made through community engagement and public involvement that supports the goals of the neighborhoods. Staff believes that the proposed text amendment is suitable.

6) **Effect on adjacent property:** Since no development projects are being proposed as part of this text amendment, these considerations are not applicable.

7) **Economic use of current zoning:** As currently zoned single-family residential districts have an economic use due the purpose and intent of said district in the Zoning Ordinance. When deciding where to purchase properties residents anticipate sustained or increasing property values. Therefore, staff is supportive of the text amendment.

8) **Compatibility with policies related to tree preservation:** Since no development project is being proposed, this consideration is not applicable. Upon application of a building permit, the applicant will have to comply with the City of Atlanta Tree Ordinance.

**STAFF RECOMMENDATION: APPROVAL OF A SUBSTITUTE ORDINANCE**

**Z-20-36 Neighborhood Design Standards**

	NPU						Comments
		Approved	Approval Conditional	Denied	Abstained	No Vote Taken	
Z-20-36	A					1	
	B			1			
	C	1					
	D	1					
	E			1			
	F			1			
	G	1					
	H	1					
	I	1					
	J	1					
	K			1			
	L	1					
	M	1					
	N			1			
	O			1			
	P	1					
	Q	1					
	R					1	
	S			1			
	T			1			
	V	1					
	W			1			
	X	1					
	Y	1					
Z			1				
UDC							
<b>Total:</b>		13	0	10		2	



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Office of Zoning and Development

## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** **Z-20-44 for 625 Boulevard, N.E.**

**DATE:** October 8, 2020

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An Ordinance by Zoning Committee to rezone from RG-4/BL (Residential General – Sector 4/Beltline Overlay) to C-1/BL (Community Business/Beltline Overlay) for property located at **625 Boulevard, N.E.**

### FINDINGS OF FACT:

- **Property location:** The subject property fronts 50 feet on the east side of Boulevard, N.E. beginning at a PK nail set at the northerly right-of-way line of North Avenue, N.E. and the easterly right-of-way line of Boulevard, N.E. in Land Lot 48 of the 14<sup>th</sup> District, Fulton County, Georgia in the Old Fourth Ward neighborhood of NPU M, Council District 2.
- **Property size and physical features:** The subject property has approximately 0.207 acres (9,028 square feet) of net lot area. The topography inclines from west to east throughout the site and is currently developed with a two-story residential building. Vehicular access to the property is provided via an alley on the north side of North Avenue. There are several trees, mostly in the rear of the property.
- **CDP land use map designation:** The land use designation for this property is High Density Residential (HDR) within the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The property is currently developed with a two-story single-family residence. Staff is not aware of any other prior uses of the site.
- **Surrounding zoning/land uses:** To the north, parcels are zoned RG-4/BL (Residential General Sector 4/Beltline Overlay) with High Density Residential (HDR) land use. To the east, parcels are zoned RG-4/BL (Residential General Sector 4/Beltline Overlay) and C-1-C/BL (Community

Business – Conditional/Beltline Overlay) with High Density Residential (HDR) and Medium Density Mixed Use (MDMU) land uses, respectively. To the west, parcels are zoned R-5/BL (Two-Family Dwelling/Beltline Overlay) with Low Density Residential (LDR) land uses. To the south, parcels are zoned C-1/BL (Community Business/Beltline Overlay) with Medium Density Mixed Use (MDMU) and Low Density Residential (LDR) land uses.

- **Transportation:** Boulevard is classified as a collector street and nearby North Avenue is classified as an arterial. Currently, MARTA serves the area via bus routes #102 and #2. Sidewalks can be found on both sides of Boulevard and North Avenue.

### **PROPOSAL:**

The applicant seeks to rezone the property from RG-4/BL (Residential General Sector 4/Beltline Overlay) to C-1/BL (Community Business/Beltline Overlay) for the development of a Starbuck’s coffee shop. The proposed rezoning will allow for this property to be developed with the adjoining parcel at 619 Boulevard, which is zoned C-1/BL (Community Business/Beltline Overlay).

### **Project Specifications:**

Net lot area:	0.207 acres (9,028 sf) 0.69 acres (30,010 sf) [619 and 625 Boulevard]
Building Size:	2,500 sf [619 and 625 Boulevard]
Parking Required:	25 spaces
Parking Provided:	17 spaces

### **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the properties as High Density Residential (HDR) within the 2016 Comprehensive Development Plan. Therefore, the proposed rezoning requires a CDP amendment to the Medium Density Mixed Use (MDMU) land use designation.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location regarding water supply and sewage disposal. When the proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The applicant has not indicated that they own other land in the area that would be suitable for the proposed development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses or to the health of humans or the environment by allowing the rezoning. The proposed rezoning would allow for an

appropriate redevelopment opportunity in the Old Fourth Ward neighborhood. It would align the zoning of this parcel with the adjoining property at 619 Boulevard. The adjacent lot, 619 Boulevard is currently occupied by an underutilized commercial building. The proposed rezoning would allow both parcels to be redeveloped with a new commercial use in scale with the surrounding neighborhood.

- 4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is compatible with the character of the neighborhood. There are other mixed-use land uses and zoning classifications in the immediate vicinity. Multi-family units, retail, restaurants, and other non-residential uses can be found on nearby properties. Thus, the proposed rezoning is consistent with the land uses found in the immediate area.
- 5) **Suitability of proposed land use:** The proposed rezoning would allow for the construction of a retail coffee shop. Staff is of the opinion that the request is suitable as it complements many of the commercial uses found at the intersection of Boulevard and North Avenue. Medium Density Mixed Use land use designation can be found immediately south and west of the subject property. Although the Old Fourth Ward master plan envisions residential development for this parcel, it also encourages redevelopment. Rezoning this property will facilitate the redevelopment of the highly visible corner lot at 619 Boulevard, which is currently underutilized.
- 6) **Effect on adjacent property:** The proposed request should not have a negative effect on adjacent properties. It should complement the pattern of the redeveloping area. The rezoning is for the specific purpose of providing efficient vehicular circulation through the property at 619 Boulevard, where a retail coffee shop is being proposed. The rezoning would allow for a reasonable transition from the commercial uses at the intersection of Boulevard and North Avenue to the High-Density Residential uses further along this portion of the Boulevard corridor.
- 7) **Economic use of current zoning:** The current zoning conditions allow for some economic use of the land; however, the proposed rezoning would allow the redevelopment of the adjoining parcel at 619 Boulevard. Additionally, no structures are proposed to be located on the parcel proposed for rezoning. Thus, the rezoning will facilitate improvements to the property at 619 Boulevard.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.
- 9) **Other Considerations:**  
The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, **625 Boulevard, N.E.**, is located within a Growth Area along a Corridor. Corridors are described as follows:

“These are the connecting tissues of the city; the major streets that flow out of the core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like Hollowell, Peachtree and Jonesboro wind along the contours of the city while streets like Metropolitan, Memorial and Northside slice straight lines across hills and valleys. In either case, we find commercial sites, civic buildings and anchor institutions along the way. With better design, these corridors can become main streets for every community, accommodating a reasonable amount of growth that will spur commercial vitality and a vibrant public life out beyond the core of the city.”

**STAFF RECOMMENDATION: APPROVAL conditioned upon the following:**

- 1) The site shall be developed in accordance with the amended site plan entitled “Starbucks – Atlanta Boulevard NE” prepared by LeCraw Engineering, dated July 22, 2020, and stamped received by the Office of Zoning and Development on September 16, 2020. Minor changes to the approved site plan may be authorized by the Director, of the Office of Zoning and Development in accordance with Section 16-02.003(7).



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MEMORANDUM

**TO:** Zoning Review Board  
**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*  
**SUBJECT:** Z-20-48 for 1237 Memorial Drive, S.E.  
**DATE:** October 8, 2020

---

An Ordinance by Zoning Committee to rezone from RG-3 (Residential General Sector 3) to MR-4B (Multifamily Residential) for property located at **1237 Memorial Drive, S.E.**

**FINDINGS OF FACT:**

- **Property location:** The subject property fronts 150 feet on the south side of Memorial Drive, S.E. being all that parcel of land lying and being in Land Lot 177 of the 15<sup>th</sup> District of DeKalb County, Georgia being lots 6, 7, 8, Block A, Fred Koch Home Place Subdivision, as per plat recorded in Plat Book 5, Page 40 DeKalb County, Georgia records. The property is located within Land Lot 177 of the 15<sup>th</sup> District, DeKalb County, Georgia in the Edgewood Neighborhood of NPU-O in Council District 5.
- **Property size and physical features:** The subject property is approximately 0.66 acres (28,638 square feet) and is located on the south side of Memorial Drive. The property is currently vacant and has a double frontage with the south property line fronting on the undeveloped right of way of Parker Street. The topography slopes approximately 18 feet from a low point at the front northeast corner of the site to a high point at the southern property line. The subject site has no trees or vegetation. Access to the site is currently provided via two curb cuts on Memorial Drive.
- **CDP land use map designation:** The subject property has a future land use designation of High Density Residential (HDR) within the 2016 Comprehensive Development Plan (CDP). Adjacent properties to the north, east and west have a future land use designation of High Density Residential (HDR) within the CDP. Properties to the south have a Single Family Residential (SFR) designation within the CDP.

- **Current/past use of property:** The subject property is currently vacant with remnants of a foundation from a prior use as a two-story multifamily development with surface parking.
- **Surrounding zoning/land uses:** The subject property is currently zoned RG-3 (Residential General Sector 3). The surrounding zoning includes R-4A (Single Family Residential) to the north, R-4 (Single Family Residential) to the south, C-2 (Commercial Service) to the east, and RG-3 (Residential General Sector 3) to the west. The surrounding uses are single family residential to the north and south, and townhomes to the east and west.
- **Transportation:** Memorial Drive, S.E. is classified as an arterial street. Currently, MARTA serves the area via bus routes #21 on Memorial Drive and #4 on Moreland Avenue. Several MARTA bus stops are located within a few blocks of the subject site. An entrance to Interstate 20 is located just south of the nearby intersection of Memorial Drive and Moreland Avenue.

### **PROPOSAL:**

The applicant proposes to rezone from RG-3 (Residential General Sector 3) to MR-4B (Multifamily Residential) with the purpose of developing a four building, 18-unit townhouse development.

### **Project Specifications:**

Max. Building Height Permitted:	52 ft (transitional height plane applies to the south)
Proposed Building Height:	46 ft.
Net Lot Area:	28,638 sf (0.66 acres)
Gross Lot Area:	34,296 sf (0.79 acres)
Maximum FAR Permitted:	1.49 (42,671 sf)
Proposed FAR:	1.21 (34,614 sf)
UOS Required:	11,455 sf
UOS Proposed:	11,468 sf
Parking Required:	15 spaces
Parking Proposed:	36 spaces

### **CONCLUSIONS:**

1. **Compatibility with comprehensive development plan (CDP):** The subject property is designated High Density Residential (HDR) in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to MR-4B (Multifamily Residential) is compatible with the land use designation of High Density Residential (HDR) thus a land use amendment will not be required to accommodate the proposed development.
2. **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services to the subject site. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

3. **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses. This proposal would allow for an appropriate type of development within the Memorial Drive corridor at a scale that is comparable to nearby development.
4. **Effect on character of the neighborhood:** The 2016 Comprehensive Development plan places the subject site within the Intown Corridor Character Area which targets redevelopment along corridors such as the Memorial Drive corridor with *“multi-story buildings, high density and mixed-use buildings/developments and multifamily residential including senior and workforce housing.”* The Intown Corridor Character Area recommends development with a pedestrian oriented urban form with buildings oriented to the sidewalk. The CDP states, *“Sidewalks should be wide, free of obstructions and in good repair with street trees to serve as buffers between travel lanes and pedestrians.”* The CDP also states, *“Parking lots should be located to the side and or rear of buildings, and when adjacent to the sidewalk should be screened with vegetation.”* Staff is of the opinion the proposed rezoning will not have a negative effect on the character of the neighborhood but will allow for an appropriate multifamily development along a corridor where High Density Residential is the intended future land use.
5. **Suitability of proposed land use:** Staff finds that the proposed 18-unit townhouse development complements the existing and future multifamily, commercial, and mixed uses along the Memorial Drive corridor. The use and scale of the proposed development is compatible with the surrounding uses. Townhouse development provides an appropriate transition from the Memorial Drive corridor to the adjacent single-family neighborhood.
6. **Effect on adjacent property:** Staff is of the opinion that if this property is rezoned to MR-4B (Multifamily Residential) the proposed development will have no negative effect on adjacent properties and should complement the existing and future mixed uses in the area. The proposal will provide a more pedestrian oriented streetscape along the corridor.
7. **Economic use of current zoning:** Staff finds that the current zoning has a reasonable economic use. However, the rezoning would not have a negative effect on the economic use and may have a positive effect on neighboring properties as the proposed zoning is compatible with existing conditions and reinforces densities that activate an Intown Corridor as envisioned for the Memorial Drive corridor.
8. **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.
9. **Other Considerations:** The Atlanta City Design articulates Atlanta’s vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and

Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, **1237 Memorial Drive, S.E.** is located within a Growth Area Corridor. Growth Area Corridors are described as follows:

“These are the connecting tissues of the city; the major streets that flow out of the Core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like Hollowell, Peachtree, and Jonesboro wind along the contours of the city while streets like Metropolitan, Memorial and Northside, slice straight lines across hills and valleys. In either case, we find commercial sites, civic buildings, and anchor institutions along the way. With better design, these corridors can become Main Streets for every community, accommodating a reasonable amount of growth that will spur commercial vitality and a vibrant public life out beyond the Core of the city.”

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL conditioned upon the following:**

1. The number of dwelling units shall not exceed 18.
2. The use of vinyl siding shall be prohibited.
3. All pressure treated lumber used in exterior construction shall be painted or stained if located on a building facade that faces a street.
4. No exposed vertical concrete faces shall be permitted at foundations or retaining walls. Any such concrete shall be covered by masonry or stucco parge coat.



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Office of Zoning and Development

## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** **Z-20-51 for 515 Moreland Avenue, S.E., 531 Moreland Avenue, S.E. & 537 Moreland Avenue, S.E.**

**DATE:** October 8, 2020

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An Ordinance by Councilmember Carla Smith to rezone **515 Moreland Avenue, S.E., 531 Moreland Avenue, S.E. & 537 Moreland Avenue, S.E.**, from NC-2 To NC-2-C for a change of conditions; and for other purposes

- **Property location:** The property fronts 200 feet on the west side of Moreland Avenue and begins at the intersection of Moreland Avenue, S.E. and Glenwood Avenue, S.E. The property is in Land Lot 120 of the 14<sup>th</sup> District, Fulton County, Georgia in the Ormewood Park neighborhood of NPU W in Council District 1.
- **Property size and physical features:** The subject site is rectangularly shaped and is approximately 30,448 square feet (.699 acres) in land area. The lots front on the west side of Moreland Avenue. The topography is relatively level. There are existing vacant buildings and a surface lot used for parking.
- **CDP land use map designation:** The land use designation within the 2016 Comprehensive Development Plan is Low Density Commercial.
- **Current/past use of property:** The properties are currently vacant and were once used for commercial purposes. Staff is not aware of any other previous uses on site.
- **Surrounding zoning/land uses:** Properties east and north of the site are zoned NC-2/BL (East Atlanta Neighborhood Commercial District/BeltLine Overlay) with a Low-Density Commercial land use designation. South of the site properties are zoned R-4/BL (Single Family Residential/BeltLine Overlay). West of the site properties are zoned MRC-1/BL (Mixed Residential Commercial/BeltLine Overlay) with a Low-Density Commercial land use designation.

- **Transportation:** Moreland Avenue is classified as an arterial. MARTA serves the area via bus route#4 with connection to MARTA Inman Park Transit Station. Sidewalks are present along Moreland Avenue and Glenwood Avenue.

**PROPOSAL:** This application seeks to change the conditions of the property requiring multifamily developments to contain at least 20 percent of the total floor area, excluding accessory uses, as ground level commercial uses in the same principal structure.

## **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:**  
Currently, the text amendment is compatible with the existing land use designation. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:**  
This rezoning seeks to change the conditions of Z-18-55/18-O-1320 requiring multifamily developments to dedicate a minimum of 20% of the total floor area to ground floor commercial uses. Review agencies and/or departments will provide comment regarding adequate public facilities and services should a development proposal be presented. Therefore, when proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** As proposed the rezoning for a change of conditions will eliminate the requirement of ground floor commercial for the subject property. However, commercial floor area will be in other areas of the development site. Staff is of the opinion that not requiring commercial floor area in the multifamily building in this location but in other areas of the proposed development will not have a negative effect in the balance of land uses with regard to the public need.
- 4) **Effect on character of the neighborhood:** The proposed text amendment will further reinforce the stability of established neighborhood. The East Atlanta Village is a district that offers residential and non-residential uses at a neighborhood scale. Staff is of the opinion that the character of the neighborhood will not be diminished or disrupted if the proposed structure does not have ground floor commercial uses. Throughout the district commercial and residential uses alone are available, as well as mixed use buildings. If the change of conditions is approved the development will be an added benefit to the character of the neighborhood.
- 5) **Suitability of proposed land use:** The proposed recommendations were made through community engagement and public involvement that supports the goals of the neighborhoods. Staff believes that the proposed text amendment is suitable.
- 6) **Effect on adjacent property:** Staff believes the proposed change of conditions has the potential to add value to the character of the neighborhood. Furthermore, the development will provide an appropriately scaled nodal commercial development and improve the aesthetics of the built environment.

- 7) **Economic use of current zoning:** The economic opportunity of the subject properties is limited under the existing conditions. The requirements of the existing zoning district limit the usability of the lot. The proposed change of conditions provides an opportunity to increase the economic value of a site by allowing a multifamily development without ground floor commercial.
- 8) **Compatibility with policies related to tree preservation:** Upon application of a building permit, the applicant will have to comply with the City of Atlanta Tree Ordinance.
- 9) **Other Considerations:** Consistency with Atlanta City Design: The Atlanta City Design articulates Atlanta’s vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to Atlanta City Design **515 Moreland Avenue, S.E., 531 Moreland Avenue, S.E. & 537 Moreland Avenue, S.E.**, is located within Growth Area: Corridors. Corridors are described as follows:

“These are the connecting tissues of the city; the major streets that flow out of the core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like Hollowell, Peachtree, and Jonesboro wind along the contours of the city while streets like Metropolitan, Memorial, and Northside slice straight lines across hills and valleys. In either case, we find commercial sites, civic buildings, and anchor institutions along the way. With better design, these corridors can become main streets for every community, accommodating a reasonable amount of growth that will spur commercial vitality and a vibrant public life out beyond the core of the city.”

**STAFF RECOMMENDATION: APPROVAL conditioned on the following:**

1. The subject property does not have to comply with the requirement in Sec. 16-32B.002(2.)(f.) for the construction of multifamily dwellings.



# CITY OF ATLANTA

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TIM KEANE  
Commissioner

KEYETTA M. HOLMES, AICP  
Director  
Office of Zoning & Development

## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** U-20-11 for 1308 Glenwood Avenue, S.E.

**DATE:** October 8, 2020

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The applicant seeks a special use permit pursuant to 16-32B.002(4) for a microbrewery for property located at **1308 Glenwood Avenue, S.E.**

### FINDINGS OF FACT:

- **Property location:** The subject property fronts 30 feet on the north side of Glenwood Avenue, S.E. beginning at a point on the north side of Glenwood Avenue where the same is intersected by the east side of a ten foot alley being 153.3 feet east of the intersection of the north line of Glenwood Avenue with the east line of Flat Shoals Road. The property is in Land Lot 177 of the 15<sup>th</sup> District, DeKalb County, Georgia in the East Atlanta neighborhood of NPU W, Council District 5.
- **Property size and physical features:** The property consists of approximately 0.069 acres (2,910 square feet) of lot area. The site is currently developed with a single commercial building with a curb cut and driveway. There are sidewalks on Glenwood Avenue. There are a few street trees along the frontage of the site.
- **CDP land use map designation:** The land use designation for this property is Low Density Commercial withing the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The current and past use of the building is commercial. Staff is not aware of any other prior uses of the site.

- **Surrounding zoning/land uses:** The subject property and adjacent properties are zoned NC-2 (East Atlanta Village Neighborhood Commercial District) and have a Low-Density Commercial land use designation.
- **Transportation system:** Glenwood Avenue is classified as a collector. Currently, MARTA serves the area via bus routes #107, #21, and #4. Sidewalks are located on both sides of Glenwood Avenue.

**PROPOSAL:** The applicant proposes to operate a microbrewery known as the Hippin Hops Brewery.

- **Ingress and egress:** Patrons, visitors, employees, service personnel and emergency personnel may enter the property via a paved, public sidewalk along Glenwood Avenue which leads to the front door of the microbrewery.
- **Parking and loading:** There are no off-street parking spaces. The applicant will apply for a special administrative permit to meet the off-street parking requirement via a shared parking arrangement with a lot located on Flat Shoals Road. Small delivery trucks will park on street and make deliveries via the Glenwood Avenue entrance.
- **Refuse and service areas:** Onsite trash receptacles will be used to dispose of refuse. Additionally, the applicant will utilize a private commercial service to pick up refuse bi-weekly.
- **Buffering and screening:** All doors will remain closed except when being used for ingress and egress. Sound will be buffered by the walls of the building.
- **Hours and manner of operation:** The microbrewery will operate Monday through Friday 5:00 p.m. to 12:00 a.m. and Saturday 1:00pm to 12:00 a.m., and Sunday 1:00pm- 8:00pm. The establishment seeks to hire 20 employees with 2 Chefs, 2 bartenders, 2-4 waitresses and servers per shift. The microbrewery's expected occupancy is 40 patrons of the minimum age of 21.
- **Duration:** The applicant requests a permanent duration.
- **Required yards and open space:** No additions to the existing facility structure are planned.
- **Tree Preservation and Replacement:** No trees will be damaged or cut down for this use.

## CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Pedestrians will access the site via the sidewalk on Glenwood Avenue. The site is in a row of commercial buildings with no off-street parking and the site has no vehicular access, therefore there are no presumed negative impacts on traffic flow and control anticipated. Emergency vehicles and personnel as well as service vehicles and personnel can access the site using an alley adjacent to the building. Staff is of the opinion that the ingress and egress for the proposed use is sufficient.

- b) **Off-street parking and loading:** The off-street parking requirement for the proposed use is 7 spaces. However, due to the nature of the use and the location the applicant will apply for a special administrative permit to enter into a shared parking agreement with a lot on Flat Shoals Road. At peak times it is anticipated that 8 vehicles will utilize the lot on Flat Shoals Road. Additionally, on-street parking spaces are located on Flat Shoals Avenue. All deliveries will be made by small delivery trucks using the Glenwood Avenue entrance in a similar manner as other businesses along Flat Shoals Avenue. All service personnel will park in the adjacent alley and gain access to the property. Staff is of the opinion that the proposed off-street parking and loading are sufficient to support the proposed use.
- c) **Refuse and service areas:** A private commercial waste hauler will pick up garbage biweekly. Staff finds the proposed refuse and service areas to be sufficient for the use.
- d) **Buffering and screening:** Sound buffers are in place on site and doors will remain closed to the establishment except when patrons exit or enter the microbrewery. Additionally, no sound, amplified or otherwise, shall be audible outside of the "premises," in accordance with the Alcohol Code, Section 10-1. Therefore, Staff is of the opinion that required buffering and screening measures are suitable for the proposed use.
- e) **Hours and manner of operation:** The applicant proposes to operate a microbrewery, Hippiin Hops Brewery & Oyster Bar. Hippiin Hops Brewery & Oyster Bar will operate Monday through Friday 5:00 p.m. to 12:00 a.m. and on Saturday from 1:00 p.m. to 12:00 a.m. and Sunday 1:00 to 8:00 pm. The brewery will employ 20 employees with 7 onsite during peak business hours. The business will serve patrons 21 years or older and anticipates a 40-person capacity. Meals will be offered to patrons. Staff finds the hours and manner of operation suitable for the proposed use.
- f) **Duration:** The applicant has requested an indefinite duration. Staff is supportive of a 2-year duration.
- g) **Required yards and open space:** The applicant's proposal does not encroach into any required yards or open space. Staff finds the required yard and open space sufficient.
- h) **Compatibility with policies related to tree preservation:** There is no tree removal anticipated. Should tree removal be contemplated it shall be in accordance with the City of Atlanta Tree Preservation Ordinance.

**STAFF RECOMMENDATION: APPROVAL, conditioned upon the following:**

1. The special use permit shall be valid for two years from the date of City Council adoption.



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TIM KEANE  
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KEYETTA M. HOLMES, AICP  
Director  
Office of Zoning and Development

## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** **Z-19-121 for 160 Little Street, S.E.**

**DATE:** October 8, 2020

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An Ordinance by Zoning Committee to rezone from R-4B-C (Single Family Residential Conditional) to MR-MU (Multifamily Multiunit) for property located at **160 Little Street, S.E.**

### FINDINGS OF FACT:

- **Property location:** The subject property fronts 80 feet on the north side of Little Street, S.E. beginning at a point on the north side of Little Street which point is located 401 feet east of the northeast corner of Little Street and Martin Street. The property is in Land Lot 54 14<sup>th</sup> District, Fulton County, Georgia within the Summerhill neighborhood of NPU-V, Council District 1.
- **Property size and physical features:** The subject property is approximately 0.46 (19,978 square feet) acres. The lot is currently developed with a single-family home that appears to be unoccupied. A ten-foot, unimproved alley abuts the rear property line and the topography inclines slightly from the front of the property to the rear of the lot. Vehicular access is provided via a curb cut along Little Street.
- **CDP land use map designation:** The current land use designation is Single Family Residential (SFR) within the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The lot is developed with a single-family dwelling that appears to be vacant. Staff is not aware of any other prior uses of the site.
- **Surrounding zoning/land uses:** Many of the surrounding parcels are zoned R-4B-C (Single Family Residential Conditional) with a Single Family Residential (SFR) land use designation. Most of these properties are developed with residential, with the exception of a track, Cheney Field, owned by the Atlanta Public Schools at the intersection of Little Street and Ami Street.

- **Transportation system:** The subject property is located along Little Street which is classified as a local street. MARTA does service the immediate area via bus routes #49, #55, and #42. There are sidewalks along both sides of Little Street.

**PROPOSAL:** The applicant requests to rezone from R-4B-C (Single Family Residential Conditional) to MR-MU (Multifamily Multiunit) for the development of two multifamily residential buildings. The applicant proposes to subdivide the lot into two lots and construct 8 units on each lot, for a total of 16 units.

Development Specifications:

Net Lot Area: 0.46 acres (19,978 square feet)

Number of Units: 16

**CONCLUSIONS:**

**(1) Compatibility with comprehensive development plan (CDP); timing of development:**

The current land use designation is Single Family Residential (SFR) land use in the 2016 Comprehensive Development Plan (CDP). However, the proposed number of units exceeds the maximum allowed dwelling units per acre by the SFR land use designation. Therefore, the proposed rezoning does not comply with the current land use designation of Single Family Residential (SFR) and a CDP amendment is required.

**(2) Availability of and effect of public facilities and services; referral to other agencies:**

Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer which are available to the site. Since this proposed development constitutes a premise where people live, onsite sanitary facilities will be mandatory prior to use or occupancy. The Fulton County Department of Health and Wellness requires submittal of plans for review and approval and the developer must obtain permits for the outside refuse containers, and the pad and approach area for the refuse containers.

**(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. In accordance with the MR-MU design guidelines the structures will not exceed 35', will be constructed with one central entry way and will be designed to blend with the architectural style of single-family residential structures in the neighborhood. Staff is of the opinion that there is no negative impact on the balance of land uses.

**(4) Effect on character of the neighborhood:**

The proposal to rezone to MR-MU at the proposed density would not have a negative effect on the surrounding neighborhood. Allowing this residential lot to be redeveloped with two 8-unit multifamily structures would provide "missing middle" housing. Missing middle housing is characterized as small multifamily buildings often located near or among single family residential uses, and are compatible with them in terms of scale, massing setbacks, and design. It is considered a useful tool in providing a greater range of housing types in neighborhoods where there is a

desire to preserve their existing scale and character. Although it is an increase in density, the intent of the MR-MU zoning district is to provide opportunities for multiunit housing that is compatible in character with the surrounding single-family neighborhood. It provides a transition between single family uses and more intense uses, as characterized by the 2016 Comprehensive Development Plan (CDP). Therefore, Staff is of the opinion that the proposal would have a positive effect on the character of the neighborhood.

(5) **Suitability of proposed land use:** Staff is of the opinion that the proposed Medium Density Residential (MDR) land use is suitable to accommodate the MR-MU zoning request. Although much of the community has a Single Family Residential (SFR) land use, there are a few existing MDR land use classifications in the vicinity along Bill Lucas Drive, Georgia Avenue, and Ormond Street. The intent of the MR-MU zoning classification is to provide density that is compatible in character and scale with single family residential. Buildings zoned MR-MU are limited to a height of 35 feet, just as required in the single-family residential zoning districts. Thus, although multiunit buildings are being proposed, it is required to be in scale and compatible with the existing neighborhood character.

(6) **Effect on adjacent property:** Staff is of the opinion that the rezoning of the subject property to the MR-MU (Multifamily Residential Multiunit) zoning designation would not have a negative impact on the adjacent properties.

(7) **Economic use of current zoning:** While the current zoning conditions allow for the economic use of the land, a change to the MR-MU (Multifamily Residential Multiunit) District would allow a more effective economic use of the subject property and diversify the housing stock in the neighborhood.

(8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.

(9) **Other considerations:**

The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to Atlanta City Design **160 Little Street, S.E.** is located within Conservation Area: Urban Neighborhoods. Urban Neighborhoods are described as follows:

“These are small-scale, historic, walkable neighborhoods where growth capacity is limited mostly by our desire to keep them the way they are. They are the traditional intown communities that were built by the expansion of streetcars a century ago, such as Westview, Grant Park, and Brookwood Park. Most have some form of commercial district within walking distance from homes, and many includes small apartment buildings, townhouses, or two and three-family homes. Their inherent walkability,

historic charm, and proximity to Downtown make them highly desirable under today's market pressures, and therefore, threatened by even denser development.”

**STAFF RECOMMENDATION: APPROVAL conditioned upon the following:**

1. The project will include two (2) residential buildings consisting of no more than eight (8) residential units per building for a maximum total density of no more than sixteen (16) residential units.
2. Vehicle access to the project shall be to and from the rear of the project at the ten-foot (10') alley off Ami Street.
3. The project shall not add any curb cut or driveway access to or from Little Street.
4. The project shall reserve a minimum of fifteen percent (15%) of units at eighty percent (80%) of AMI (area median income) for rental units or 15% of units between 80% of AMI and 120% AMI for for-sale units.
5. The project shall include front porches, gables, and rear stoops.
6. The buildings shall each have a front facing central entry along Little Street, SE.
7. The buildings shall each have a front door facing and visible from Little Street, SE.
8. Any roof peaks of the street-facing gables on the front building façade, if any, shall be “clipped” in such a manner as to visually lessen the vertical appearance of the buildings.
9. The use of vinyl siding is prohibited.
10. No exposed concrete will be permitted at foundations or retaining walls. Any such concrete must be covered by masonry or a stucco parge coat.
11. The project shall include community gathering areas such as interior courtyards and benches.



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## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** U-18-03 for 0 Tenth Street, N.E. (17 01600008810)

**DATE:** October 8, 2020

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The applicant seeks a special use permit for a nightclub or lounge pursuant to 16-18P.005 for property located at **0 Tenth Street, N.E. (17 01600008810)**.

The applicant has requested deferral for additional time to work with the neighborhood and NPU. Staff is supportive of this request.

**STAFF RECOMMENDATION: 60-DAY DEFERRAL DECEMBER 2020**